## Exhibit D

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ROBERT BURR, SAN DIEGO	, CA.	•			-	- :	
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**11/912005** 

'ATENT APPLICATION SERIAL NO.

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FEE RECORD SHEET

1090 BA 07/21/92 07912005

1 201 529.00 CK 3370-2030

PTO-1556 (5/87)

GTech v. Scientific Games 04-128-JJF

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APPLICANT	ROBERT E	BURR, SAN D	IEGO, CÁ.				•		
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3 1992	)	1	(Under 37 C	FR 1.62)		3390-2030 P.U.	und
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Washington D.C. 2	20231			1	37 CFR 1.8 Certifi	cate failing CANNOT be used]	
his is a Request (	or filing a contin	ation-in-pa	urt 🔼 co	ontinuation	division	al application under 37 CFR	1.62
of prior applica	tion Serial No. <u>07</u>	′312/111	, filed	i on <u>2/17/</u>	<b>'89</b>	_ , currently entitled Ticke	t_
Dispenser	Machine and Meth	<u> </u>					
by the followin	g named inventor(s):					•	
FULL NAME	AMILY CHAME		FIRST GI	VEN NAME	· · · · · · · · · · · · · · · · · · ·	SECOND GIVEN NAME	
RESIDENCE C	Burr	<del></del>	STATE O	Robert	O MITTER		
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	AMILY NAME	<u>· · · · · · · · · · · · · · · · · · · </u>	FIRST GIV	VEN NAME		SECOND GIVEN NAME	
INVENTOR	SITY						
RESIDENCE C	SITY		STATE OF	FOREIGN C	OUNTRY	COUNTRY OF CITIZENSHIP	
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FULL NAME FOR INVENTOR	AMILY NAME		FIRST GIV	EN NAME		SECOND GIVEN NAME	ヿ
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e above identific proceedings ha the contents of the basic paper Note: If prior appl	ed prior application is occurred, is hereby	in which a expressly a file wrappe ion. loned, then the	no paymen abandoned er, includin the form for	nt of the i as of the fi ag all previo	ssue fee, aban iling date of th ously entered a	donment of, or termination is new application. Please use mendments and the drawings	all , as
	tered, in the prior app					under 37 CFR 1.1	τΤρ
A prelimi	nary amendment is ez	closed.					
e filing fee is calc	ulated on the basis of	the claims	existing in	the prior a	pplication as a	mended at 1 and 2 above.	
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TOTAL CLAIMS	24	-20	4		20.00 X <b>\$.12.00</b>	\$ 80,00	1
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duction by % for filing applicable, verified state	by small entity (Note: 37 Cl ement must be attached or al	R 1.9. 1.27, 1.	28). In prior appli	ication.		- 529.00	7
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		<b>.</b>	
1,1			CURTIS, MORRIS & SAFFORD, P.C. File No 3390–2030
	8.	図	
1,	4a.		A check in the amount of \$. 405.00 is enclosed.
41	b.		The filing fee to be paid late: with surcharge [pursuant to 37 CFR 1.62(d)].
	5.		Since this application is a continuation-in-part which discloses and claims additional matter, a new oath or declaration is included will be filed later with surcharge [pursuant to 37 CFR 1.62 (d)].
	16.		Amend the specification by inserting before the first line the sentence:
8	7	12/92  2/92	This application is a [ ] continuation-in-part, [ ] continuation, [ ] division, of application Serial 1. No. 07/312,111 , file ( ) 2/17/89 , No. 07/312 , file ( ) 2/17/89 , N
ı	1		[Note: If priority under 35 U.S. C. 120 involves a series of respectively copending applications, then in this amendment identify each and its relationship to its immediate predecessor.]
	7a.		A verified statement claiming small entity status is enclosed.
$U_{j}$	b.	X	A verified statement claiming small entity status was filed in the prior application, Serial No.07/312.111  Filed 2/15/89 and is still proper. [Note: Such a statement may be filed within two months with a request for refund of overpayment.]
	8e.		Priority of foreign Application No(s)filed on
4			in, respectively, is claimed under 35 U.S.C. 119.
	b.		A certified copy of said fore ign priority application(s) was filed in prior U.S. application Serial No
	9.		The prior application is assigned of record to
	10.	<b>[3</b>	The power of attorney in the prior application is to: [3] CURTIS, MORRIS & SAFFORD, P.C. (Reg. No. '12761), and Greek r. N. Neff, Req. 20,596
:	1.		Original title and original applicant(s) of prior U.S. application, if different from above:
	12.		Applicant(s) hereby petitio i for an extension of time in the parent application (identified in paragraph 6 above) as may be needed for the latter to be copending with this application.  A separate confirmatory petition paper with required fee is filed herewith for independent processing and separate entry in the parent application file.
[]	ddre	s all	future communications to: ( May only be completed by applicant, or attorney, or agent of record.)
•		٠	Attention of: Gregor N. Neff. , Eeq.  (/o CURTIS, MORRIS & SAFFORD, P.C.  530 Fifth Avenue  New York, New York 10036
	j . P	o any rior	tood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available of one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a application in the same file wrapper, the Patent and Trademark Office may provide similar information or to all the other applications in the same file wrapper.
	1	<i>[</i>	July 10, 1992  Date  CURTIS, MORRIS & SAFFORD, P.C.  OG on Way  Name: Gregor N. Neff  Registration No.: 20, 596
Scier	atific	: Ga	mes Attorney of record (or filed under 37 CPR 1.84)

PATENT

PATENT 3390-2030 Pul WART

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Robert L. Burr, et al.

Serial No.

Filed

February 17, 1989

For

TICKET DISPENSER MACHINE AND METHOD

Group Art Unit :

311

Examiner

D. Bollinger

530 Fifth Avenue New York, New York 10016

EXPRESS MAIL

Heiling Lebel Number RB82382819 US

Date of Deposit July 10, 1 72

I hereby certify that this paper in fee is being deposited with the United States local Service "Express Mail Post Office to Addressed" Service under 37 CFR 1.10 on the date ind cated above and is addressed to the Commissioner if Patents and Tradomarks, Washington, D.C. 2023

Herry Bates (Typed or printed name

PRELIMINARY AMENDMENT

Hon. commissioner of Patents and Trademarks Washington, D.C. 20231

sir:

Please cancel claims 3, 7-9, 13-15, 17, 19, 20, 23-28,

34-37, 41, 42, 46, 43 and 49.

Respectfully submitted, CURTIS, MORRIS & SAFFORD, P.C.

Gregor N. Neff, Esq. Registration No. 20,596

(212) 840-3333

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## 35-7 Filed 11/12/2005 Page 8 of 80 UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

	SEHIAL NUMBER	FILING DATE	FIRST NAMED I	NVINTOR	ATTORNEY DOCKET NO.
٠	07/912.005	07/10/52	BURR	R	UEUZ-UHMMAKA
	GREGOR N. N C/O CURTIS.	MORRIS & 9	GAFFORD	BOLL IN	
	530 5TH AVE NEW YORK, N	Y 10036		DATE MANES.	15
T	his is a communication from the OMMISSIONER OF PATENTS	e examiner in charge of y SAND TRADEMARK ;	our application.	DATE MAILED;	09/14/92
			·		
×	This application has been	examined	Responsive to communication	Ried on	This action is made final.
A sh Falls	nortened statutory period for ure to respond within the p	or response to this acception for response wi	tion is set to expire	month(s), de	lys from the date of this letter.
Part			E PART OF THIS ACTION:		
3	Notice of Reference Notice of Art Cited Information on Hou	by Applicant, PTC -14	49. 4. 🗆	Notice re Patent Drawing, PTC Notice of Informal Patent Appl	-948. Ication, Form PTO-182.
Part	II SUMMARY OF AC				
. 1.	Claims: 1,2,4	-6,10-12	-,16,18,21,22,29	<u>-33,38-40,43-4514</u>	Are pending in the application.
	Of the above	, claims	· · · · · · · · · · · · · · · · · · ·	··	withdrawn from consideration.
2	X Claims 3,7-9	7,13-15,17,	19,20,23-28,34	-37,41,42,46,4849	have been cancelled.
			134-40,43-4-		_
		•	121,22,31,33		. are rejected.
			•		are objected to.
	Clearns				n or election requirement.
		•	el drawings under 37 C.F.R. 1.8	which are acceptable for exami	ination purposes.
	Formal drawings are	•	•		
	are acceptable	batitute drawings i avi . D not acceptat le (	been received on	. tinder 37 C.F.( int Drawing, PTO-948).	R. 1.84 these drawings
10.	The proposed addition examiner. In disapp	ional or substitute the proved by the ext min	et(a) of drawings, filed on er (see explanation).	has (have) been	spproved by the
			, has been		
12.	Acknowledgment is a	made of the claim or	priority under U.S.C. 119. The ce	ritified copy has  been receiv	red 🔲 not been received
13.			dition for allowance except for to		
	-constants with the	practice under Ex per	e Queyle, 1935 C.D. 11; 453 O.G	rmw matters, prosecution as to i. 213.	the merits is closed in
14.	☐ Other	•			

Serial No. 912005 Art Unit 311 -2-

Claims 1, 2, 4-6, 31 and 33 are rejected under 35 U.S.C.
 \$ 112, second paragraph, as being indefinite for failing to particularly point cut and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 lines 5-8, it is not clearly understood whether there is a single means for moving the strip of tickets and dispensing them or if there are means for moving the strip and means for dispensing the tickets. It would appear to be more accurate and clear to recite separate means for these functions since that is what is disclosed. Claims 31 and 33 are indefinite because they depend from cancelled claim 26.

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter leveloped by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Serial No. 912005

Art Unit 311

- 3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (j) prior art under 35 U.S.C. § 103.
- 4. Claims 1, 2, 4-5, 10, 16, 18 and 22 are rejected under 35 U.S.C. § 103 as being unpatentable over Groves in view of Knee '935.

Groves teaches a article vending machine comprising: a housing 20; display means (unnumbered) for display of the types of articles available; means 50 for receiving and accepting a means of monetary exchange; and means for dispensing the articles in a number corresponding to the amount of money input to the machine. Further, the arrays of articles in Groves comprise a web of articles separated at intervals by lines of perforations and that such articles may be a variety of articles.

Groves fails to teach the articles being lottery tickets and providing the machine with a message display advertising the articles.

The specific erticles being lottery tickets in considered an obvious matter of choice and the provision of advertising displays on a vending machine is notoriously well known in the art.

Serial No. 912005 Art Unit 311 -4-

Groves fails to teach the display means being windows past which the articles are transported to be viewed while dispensing. Groves further fail: to teach separating means for separating the articles from one another.

Knee '935 teaches display means comprising a window allowing for viewing of the articles and their movement for dispensing. Knee '935 also teaches providing separating means comprising bursting means 51, 54, 65 to insure positive separation of articles from one another.

It would have been obvious to one of ordinary skill in the art to employ windows to view the articles as the display means in Groves and to provide separating means in Groves to insure positive separation of the articles from one another for dispensing.

5. Claim 21 is rejected under 35 U.S.C. § 103 as being unpatentable over Groves in view of Knee '935 as applied to claims 1, 2, 4-6, 10, 16, 18 and 22 above, and further in view of Cedrone et al.

Groves in view of Knee '935 fails to teach providing a plurality of vending machines and communicating data regarding operation to a central location.

Cedrone et al teaches providing a group of vending machines and communicating data regarding operation of the

Serial No. 912005

Art Unit

machine to a central location.

It would have been obvious to one of ordinary skill in the art to provide plural machines of Groves-Knee '935 and communicate data regarding their operation to a central location in view of the teaching of Cedrone et al.

- Claims 11, 12, 19, 30, 32, 38-40, 43-45 and 47 are allowable over the prior art of record.
- The failure of the Examiner to apply prior art to claims 31 and 33 should be construed as an indication of allowability as the Examiner is unable to fully ascertain the scope of these claims in view of the above rejection under 35 USC 112.
- The preliminary amendments filed 10 July 1992 have been received and placed of record.
- Any inquiry concerning this communication should be directed to Examiner David Bollinger at telephone number (703) 308-1113.

Bollinger:e.h. August 14, 1992 PRIMARY EXAMINER **GROUP 310** 



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2) Mr.	Gregor	Netir		(4)			
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T D STATES PATENT AND TRADEMARK OFFICE

Applicant

Robert L. Burr

Serial No.

07/912,005

Filed

July 10, 1992

For

FICKET DISPENSER MACHINE AND METHOD

1)ECLARATION UNDER RULE 132 (37 C.F.R. \$1.132)

Robert L. Burr hereby declares and states:

- 1. He is the inventor in the above-identified patent application. He also is President and Chief Executive Officer of Lottery Enterprises, Inc. ("LEI"), 7320 Convoy Court, San Diego, California 92111. He has personal knowledge of the facts stated in this Declaration.
- 2. LEI in making and selling lottery ticket dispensers using the invention disclosed and claimed in this patent application. Specifically, LEI sells the "ITR 7000" line of lottery ticket dispensers shown in Exhibits A, B, C and D which are attached to this Declaration.
- 3. Exhibit: A is a photograph of a four-window tabletop model of the ITR 7000 dispenser, each window displaying
  tickets from a different instant-winner lottery ticket game. A
  string of tickets is driven downwardly past each window by an
  electric motor drive system when the customer inserts a bill into
  the machine and presses the button below the window.

GNN9:2030.DEC

- 2 4. Exhibit B is a floor-model, four-window dispenser shown in a typical installation as part of the Virginia Lottery system.
- 5. Exhibit C is a four-page brochure entitled "ITRO-7000 Instant Ticket Retailer". It shows an eight-window floor model of the ITR-7000 dispenser on the cover, as well as two-window and four-window models.
- 6. Exhibit D is a booklet entitled "LEI Company Profile" printed July 18, 1992. The last four pages of this booklet comprise a copy of Exhibit C.
- 7. Exhibit E is a copy of a brochure showing the "ITR 5000" Instant Ticke: Retailer" sold by Lottery Concepts
  International, Inc. a predecessor of LEI.
- 8. Exhib t F is a copy of a recent issue of a San
  Diego, California newspaper reporting on the award of a
  substantial contract: for purchase of ITR 7000 machines from LEI.
  - 9. As it is explained on the sixth page of Exhibit D, the LEI Company Profile, the ITR 7000 machine was preceded by the ITR 5000 and the ITM 6000 machines.
  - 10. The LTR 5000 had no windows. IT was not successful. It produced little or no increase in sales over prior manual dispending methods, and was not ordered by any lottery system.
- 11. The 1TR 6000 was the first model which had windows. This machine is the one shown in the drawings of this GNR9:2030.DEC -2-

patent application. The windows, with the tickets moving past them while being dispensed, proved to be a major improvement. The sales of tickets from a vending machine such as that shown in the patent application drawings showed substantial increases over sales using prior methods. However, the dispensing mechanism needed revision to make it simpler, more compact and reliable.

- the ITR 6000 were kept, but the dispensing mechanism was replaced and improved. The ITR 7000, like the ITR 6000, has a housing with at least one window through which tickets can be seen but not touched by a person outside the housing. The ITR 7000 has electrically-powered means for moving a continuous strip of the tickets past the wirdow and dispensing a pre-determined number of them to an operator. The windows continued to be a major factor in the improved sales of the dispenser as compared with prior methods.
- 13. As it is explained on the third page of Exhibit D, the Company Profile, the ITR 7000 went into production in June of 1990. Subsequently, tests were performed on the machines by a number of state lottery systems in a substantial number of states. As it is explained on page four of Exhibit D, the tests showed that the ITR 7000 increased sales by from 2 to 10 times over the prior sales methods. A summary of some of the tests conducted is given on page five of Exhibit D.

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- September of 1990. In March 1991, the Virginia Lottery awarded LEI a contract to supply 2,000 units at a cost of more than \$4,000 each.
- 15. The results of tests conducted on behalf of the Virginia Lottery by Scientific Games, Inc., an independent organization, to de:ermine the sales increases produced by the ITR 7000 in use in Virginia are shown on page seven of Exhibit D. The average sales increase achieved was 186.5 percent.
- 16. The results of similar tests conducted by the Washington Lottery and the Pennsylvania Lottery are shown on pages eight and nine of Exhibit D. Those tests also showed very substantial sales gains over prior methods.
- 17. Subsequent to the contract award by the Virginia Lottery, contracts have been awarded to LEI to supply the ITR 7000 machines to the state lotteries in Delaware, Colorado, Vermont and California. The numbers of units to be ordered in Delaware, Colorado and Vermont is open-ended, with some of the initial quantities being set forth on page 3 of Exhibit D.
- 18. The California order alone requires LEI to deliver around fifteen milli m dollars worth of the machines by November 1, 1992.
- product. The ITR 7000 was its first and only product. Its sales have been achieved with only relatively modest expenditures for GNN9:2030.DEC

advertising, public ty and selling, due to the lack of funds by our fledgling enterprise. It is my belief that any commercial success we have had is due mostly to the merits of the ITR 7000 equipment.

20. I also believe that, although the success of the ITR 7000 is not due exclusively to the use of the windows invention of this patent application, the windows invention has played a major role in such success. The feature frequently is mentioned by state lottery personnel as an important feature, and field tests, starting with the ITR 6000, consistently have shown that the windows invention attracts attention, gives confidence and information to the ticket buyer, and greatly enhances the chances of convincing the customer to make what is basically an impulse purchase.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may

GNN9:2030.DEC

-5-

jeopardize the validity of the application or any patent issued thereon.

Date: 25 1992

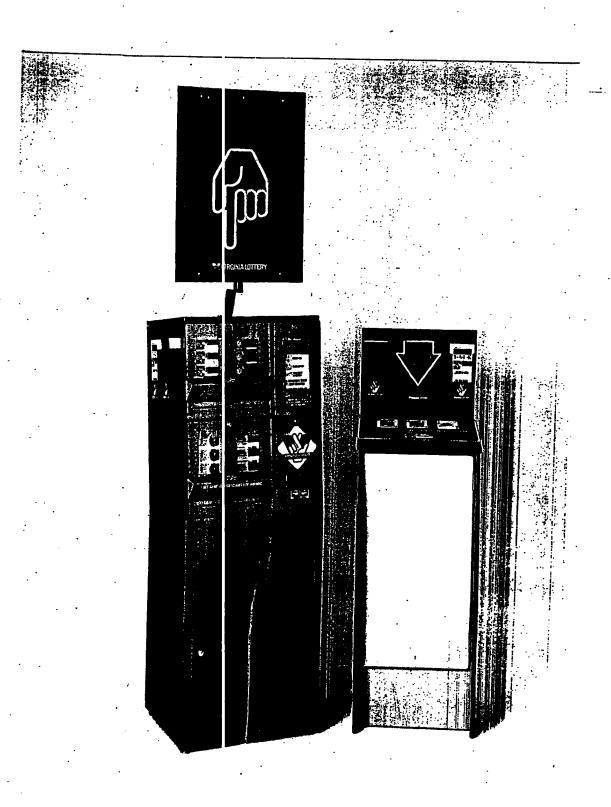
Robert L. Burr

GNN9:2030.DEC

GTech v. Scientific Games 04-128-JJF

Exhibit A

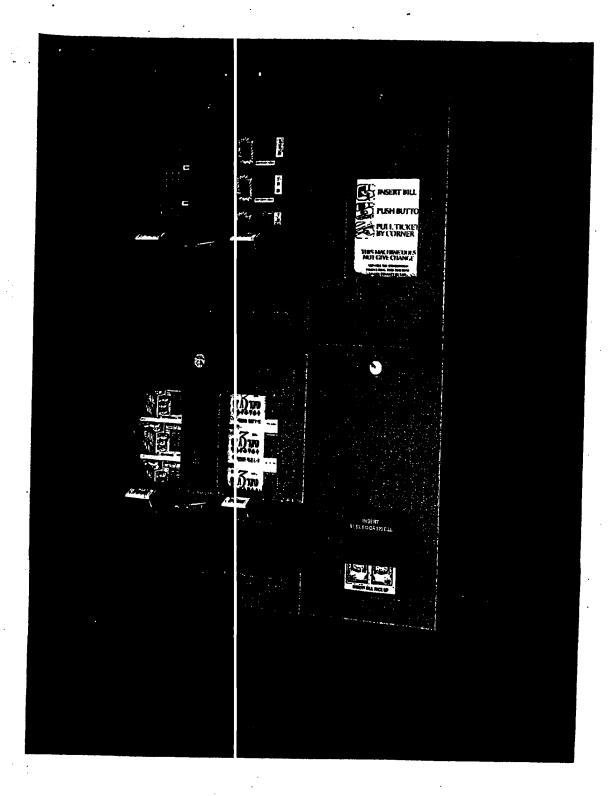
GTech v. Scientific Games 04-128-JJF



GTech v. Scientific Games 04-128-JJF

Exhibit B

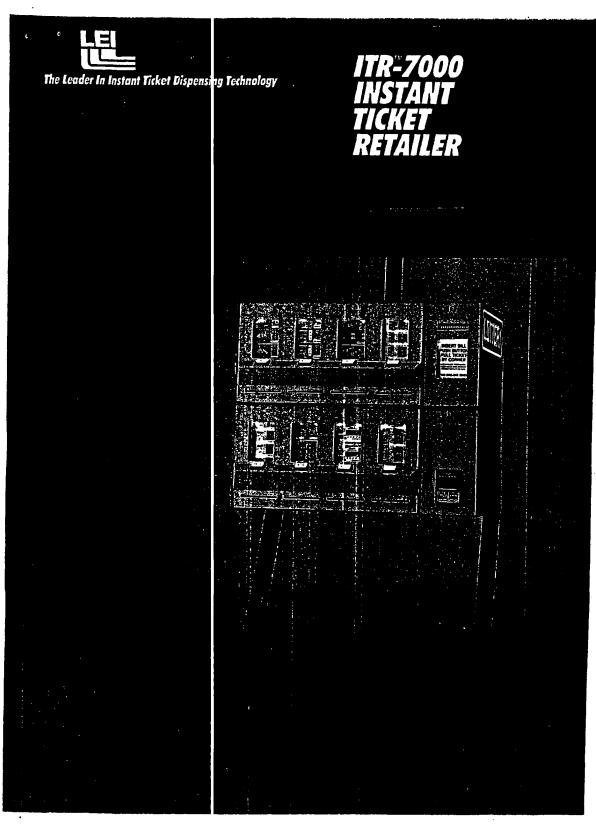
GTech v. Scientific Games 04-128-JJF



GTech v. Scientific Games 04-128-JJF

Exhibit C

GTech v. Scientific Games 04-128-JJF



GTech v. Scientific Games 04-128-JJF

#### A TROUBLE-FREE DISPENSER WITH SPLIT-SECOND SPEED.

he consumer-activated INSTANT TICKET RETAILER (model ITR™-7000) opens up uncharted marketing opportunities for retailing instant lottery tickets. The ITR"-7000 is designed to streamline the marketing of instant lottery tickets by opening up new markets which heretofore have not been available to lotteries. Specifically, these markets can be identified as those where sales now exist but at a level far below potential (typically food chain stores, liquor stores, etc) and locations where potential exists but instant tickets are not being offered for sale (private clubs, bars, malls, etc).

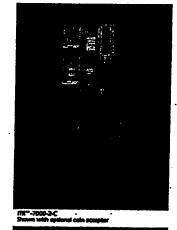
The ITR\*\*-7000 is simple to operate. The customer inserts a dollar bill, in any denomination of one, five, ten or twenty dollars and makes a selection from one to eight separate games. It's simple. It's convenient. And it's secure. Additionally, each ITR™-7000 dispensing unit stores up to 3,000 tickets for a maximum of 24,000 tickets per machine. This coupled with the fact that it keeps track of

all the accounting and inventory of each game and tied in with the LEI FILE SERVER™ will alert the lottery in ample time to replenish ticket stock when it becomes low and will make distribution of tickets

The ITR™-7000 has an optional attention-getting LED scrolling sign to attract impulse buyers. The sign is loaded from the LEI FILE . SERVER™ at Lottery headquarters or other remote locations to promote special games or winning jackpots.

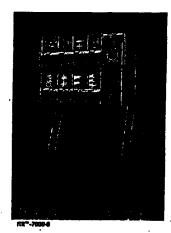
The ITR™-7000 is available in four convenient models. All include standard bill acceptors and/or optional coin acceptors (see -C). the -2 houses two dispensers, the -4 houses four dispensers, the -6 houses six dispensers and the -8 houses eight dispensers. All models are available as counter tops, wall mounts or stand-alone terminals. The stand-alone models offer two options: Twin-L legs or security storage cabinet.

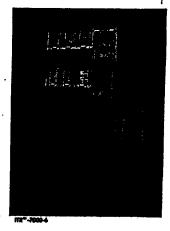
Ouite simply, LET's ITR 7-7000 will revolutionize the way you'll market Instant Lottery Tickets.

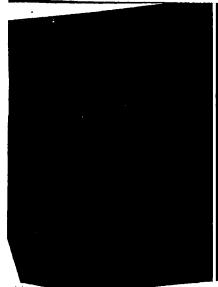














#### ITR-7000 ADVAINTAGES

#### TO THE LOTTERY

- Increase Sales
- Security
- Multi-game Sales (up to 8 games/unit)
- Daily Sales Information
   BY: Agent Classification
- Geographical

  LED Sign Downloadable
- Total Accounting And Inventory Control
- Increased Efficiency And Cost Effective Marketing

FOR: Promotion incentive Programs Advertising

Messages On Terminal
 Downloadable From Central
Computer

FOR: individual Agents or all the Agents

- all the Agents
   Complete Close-out Of Game
- Total Control Of System (via dial-up communication)
- Real Time Clock (allows automatic communications)
- Information Contained In ITR™
- Battery Backup (in the event of power loss)
- Daily Inventory And Sales Reports (Insure ticket availability)
- No Out Of Stock Situations
- Opportunity For New Sales Outlets

#### TO THE AGENT

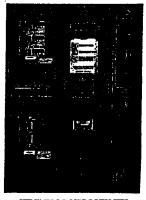
- Increase Sales
- Security
- Total Accounting And Inventory Control
- · Reports

Current day sales
Daily sales for two days
Weekly sales for two weeks
Involces

- O Automatic Reordering Of Tickets
- () Point Of Sale Advertising
- Hard Copy Sales Reports
- O RS232 Port For Central Control .
- Ability To Sell Tickets Anywhere
- () Ergonomically Designed Unit
- Automatic Agent ID Imprint (optional)
- () Easy To Operate
- O Consumer Oriented
- Holds 3,000 Instant Tickets For Each Game
- ( Small Footprint
- ← Does Not Require A Sales Clerk
- Contains its Own Cash Compartment
- Double Security Locks
- ← Heavy Steel Construction
- Multi-parne Sales (up to 8 games unit)

#### 10 THE CONSUMER

- Availability
- Convenience
- Ability To Purchase A Ticket Anywhere
- Ease Of Purchase
- Choix Of Instant Lottery Game

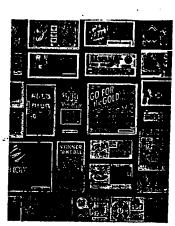


ITR"-7000 VERSATILITY
Standard bill acceptor with
installation of optional coin
acceptor greatly enhances ticket
buyer convenience by offering a
multitude of currency choices.



SPECIFICATIO	VS leight	*Width	Depth
TR::-7000-2	1 <b>7.25</b> *	15.25"	18.0"
ΠR™-7000-4	27.25"	21.25*	18.0"
ΠR™-7000-6	27.25*	27.25 <b>*</b>	18.0"
ITR™-7000-8	27.25"	33.25"	18.0"

115 or 240V AC 47 or 60 Hz 2 Am > \*Optional coin acceptor (-C) adds 1.0" to overall width.



Accepts any size tickets with widths from 2" to 4" and lengths from 11/4" to 6".

#### LEI FILE SERVER

As depicted in the diagram, every ITR\*\*-7000 is capable of interrogating over thirty oil ier ITR\*\*-7000's via its smart modern. This feature perm its the central PC (at Lottery headquarters or other remx te locations) to collect all of the sales and inventory in formation from any one city or local with a single phone call, thus reducing the necessity of tying up a lange number of 800 or WATS lines. Considering connect time, it is estimated that a PC with dual moderns can interrogate over 21,000 ITRS\*\* in a seven hour time span. All communications are done on a dial-up basis eliminating costly dedicated phone lines.

Timely reports are broken down in to agent categories, i.e. convenience stores, bar: nightclubs, etc, and also by geographic location. This permits the lottery to pinpoint advertising, agent training or special promotions.

In addition, special messages may be automatically downloaded to the optional LED sign cluring the interrogation of the ITR $^{\rm m}$ . Messages m y be sent to specific agents or to the entire state.

# Center CC Modes Mr. HR HR HR

#### Lettery Enterprises, Inc.

Corporate Headquerters 7372 Corwoy Court 5372 Corwoy Court 10 Diego, California 92111 Tel. (619) 569-5266 Fax (619) 569-9157 Toll Free (800) 879-(TR7 East Coast Office 74 Branch St. #17 Schwate, Massachusetts 02066 Tel. (617) 545-4829 Fax (617) 545-4477



Exhibit D

GTech v. Scientific Games 04-128-JJF



## COMPANY

# PROFILE

GTech v. Scientific Games 04-128-JJF

CTECH 000043

CORPORATE

**HEADQUARTERS:** 

LOT FERY ENTERPRISES, INC.

732( Convoy Court.

San Diego, CA 92111 USA. Phone: (619) 569-5266 Fax: (619) 569-9157 Tect . Support (800) 487-7009

EAST COAST OFFICE:

LOT TERY ENTERPRISES, INC.

74 B anch Street # 17

Scituate, MA 02066 USA Phor e: (617) 545-4829 Fax: (617) 545-4477

**VIRGINIA OFFICE:** 

LOT ERY ENTERPRISES, INC.

1206 Willard Road

Suite 103

Richmond, VA 23294 US/ Phone: (804) 755-8702 Fax: (804) 672-7661

**KEY PERSONNEL:** 

Robert L. Burr, President & CEO

John F. Winchester, Executive Vice President

Catherine Winchester, Director of Marketing, Western Region

John L. Winchester, Director of Marketing, Eastern Region Robert Cooley, Director of Research and Development

Don \Vesser, Director of Manufacturing

Leon Ostapiej, Director of Quality

Paul I). Alvarez, Technical Manager, Western Region

Herb Herrmann, Director of Engineering

Willia n McAdaragh, Service Manager, Virginia Operations

Lottery Enterprises, Inc. has be ∋n manufacturing the ITR™-7000 series Instant Ticket Dispensing machines since June 1990. The ITR™-7000 series is a third generation machine, preceded by the ITR™-7000 and ITR™-6000 terminals which have been in various field tests since 1986. For the Oregon Lottery, we are proposing our fourth generation model, the ITR™-7500.

Manufacturing facilities are located at the corporate address. The top management of the company has been involved in design cork epts, engineering and production of vending machines since 1976. This has included video amusement machines, video poker, keno and quarter horse gaming machines. Since 1985, the management has exclusively designed, manufactured, marketed and field tested lottery instant ticket vending machines.

LEI has 292 man years experience in the Lottery Industry, high technology field and the vending/gaming machine industry

Lottery Enterprises, Inc. was incorporated in March of 1990. Production of the ITR\*-7000 series instant Ticket Retailer terminal be an in June of 1990.

- Field testing commenced in September 1990 resulting in a contract with the Virginia Lottery on March 25, 1991 for the installation of 2,000 ITRs.
- LEI was awarded the contract to supply the Delaware Lottery with the ITR\*-7000 system. Fifty (50) terminals were be delivered in June. An Additional fifty (50) are scheduled for July with follow-up delivery as required.
- In May 1992 the Colorado Lottery purchased terminals for installations in casinos in the gaming towns of Black Hawk and Cripple Creek and other age-controlled environments.
- In June 1992 LEI was informed of a successful bid with the Vermont Lottery. The first one hundred (100) units will be delivered in August, 1992.
- LEI was notified in July 1992 as being the apparent successful winner for implementing 2,000 ITVMs for the California Lo tery, with an option on an additional 4500 terminals.

- A three month, 20 unit test recently completed in Western Canada in February of 1992.
- A 20 unit test began in July 1992 with the Ontario Lottery.
- Testing in Iceland began in January of 1992. Australia, Spain, Checzolsovakia, England are scheduled for field test in 1992.

The ITR™-7000 series of Instant Tirket Retailers have been proven to increase tickets sales from 2 to 10 times in those locations which sold lottery tickets either over the counter or manually such as supermarkets and convenience stores. Additionally, it has opened up new markets which heretofore have not been available to lotterios. Specifically, these markets can be identified as private clubs, bars, airports, restaurants, hospita's and shopping malls.

The following is a break lown of tests conducted by LEI with Lotteries around the world:

			·	
NAME OF L		NUMBER	TEST	TEST
OR ORGAN	ZATION	OF ITRs	BEGAN	ENDED
British Columbia	=	2	9/91	1/92
California		40	3/92	5/92
Safeway (CA)		2	7/91	9/91
Colorado		3	4/91	7/91
Delaware		4	7 <i>/</i> 91	11/91 <sup>·</sup>
Washington DC		3	10/90	11/90
iceland	F	1	1/91	present
Idaho		4	10/90	12/90
Hoosler Lottery		6	9/90	3/91
Marsh Supermarket	; (IN)	4	2/91	8/91
Village Pantry (IN)		4	2/91 `	3/91
Kroger Supermarke	s (IN)	3	4/92	. 5/92
Kansas		4	6/91	9/91
. Kentucky		6	1/91	4/91
Maine		4	11/90	8/91
Maryland		10	2/91	4/91
Massachusett <b>s</b>		4	10/91	11/91
Minnesota		1	2/92	6/92
New Jersey		2	2/92	4/92
Ohio		6	10/90	1/91
Ontario		15	7/92	present
Pennsylvania	•	3	5/92	7/92
Vermont		14	9/90	6/91
Washington State		3	12/91	3/92
West Virginia		6	11/91	1/92
Western Canada		20	2/92	5/92

All of these tests were very successful; sales increased from two to ten times over previous sales figures.

#### **EVOLUTION OF THE ITR™**

The administration of the Instant Ticket product line has been and continues to be labor intensive, whereas the other product lines offered by the lotteries, namely Lotto, Pick 3/4, by their very nature are technologically advanced. In order to reduce the amount of labor dedicated to the Instant Ticket product line and thus streamline and mechanize the administration of the games, an intensive market research project was initiated by Lottery Enterprises, Inc. personnel in April 1985. Lottery personnel, including Directors, lottery agents and consumers in the United States and Canada were interviewed. The result of our research indicated that the most pressing problems arise in the following areas: accounting, security, agent motivation, marketing, relevant sales statistics and availability of the product. With this information in mind, the Instant Ticket Retailer was designed and manufactured. Each of the problem areas were addressed and became part of the Instant Ticket Dispenser.

Our first Instant Ticket Dispenser the ITR\*-5000 series was agent operated and was field tested in Vermont. It became clear immediately that this was not what the lottery, agent and consumer wanted. The consumer wanted to see the product, and have the ability to activate the terminal and have a choice of games. The agent and lottery concurred and in addition wanted a secure cash drawer.

The results of the initial field research led to the ITR\*-6000 series. This series incorporated all of the suggestions gleaned from the customer, lottery and lottery agent. The 6000 series was designed to permit viewing of the tickets through a window and handle up to four games. This series was larger and the tickets being dispensed viere cut and dropped into a cup; but it was very difficult to maintain the proper bursting measurement, causing tickets to be mutilated. In addition, it was discovered that the majority of consumers wanted to be able to buy an uncut string of tickets and separate them.

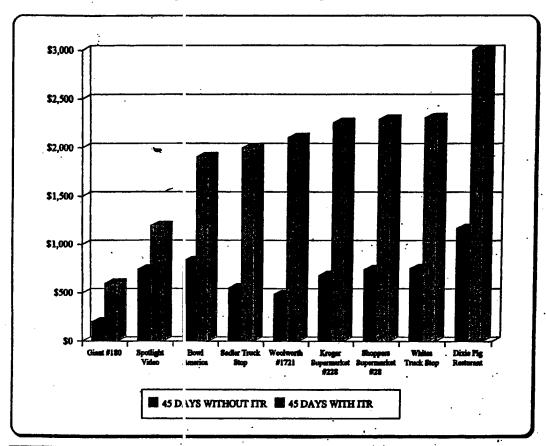
The latest design, the ITR\*-700() has many advantages and improvements over the 6000. These include:

- ✓ The 7000 series machines are half the size of the 6000 series. The largest capacity 8-dispenser machine can securely store 24,000 instant tickets in half the size of the 6000 series 4-dispenser machine.
- ✓ The 7000 takes up less floor space, to the delight of retailers.
- ✓ The 7000 has fewer moving parts.
- Loading and unloading of tickets are automatic.
- ✓ No confusing keypad er tries are required from the customer. They simply press the appropriate button to disponse their tickets.
- Tickets are dispensed to the consumer who can separate one or a group of tickets, hence, a more reliable method and consumer appeal.
- The 7000 series permits up to eight different games.
- ✓ Automatic printing of sales and inventory reports on a daily basis.
- ✓ The 7000 procedures are casier for the agent to learn. Training time is minimal.
- The data input menus have been streamlined to make it easier for the agent to do routine procedures.
- All sales reports are printed at the push of a button from the Main Menu. Stepping through confusing menu options to print reports has been eliminated.
- ✓ Software upgrades are easier to install, service technicians do not need to be called out. Some agents using the 700 are doing it themselves now.
- ✓ Diagnostic routines are much more advanced providing faster and more reliable troubleshooting operations.
- A modular design provides quick and simple upgrades and module replacements.
- ✓ The 7000 series can easily be customized to individual needs of agents.

#### UNIQUE FEATURES OF THE ITF 7.7000:

- ✓ Ability to store and dispens in up to eight different games/ 3000 tickets per dispensing unit.
- Automatic printing of daily ales/inventory report at midnight or at the time the agent selects.
- ✓ Audit trail report
- ✓ Dual processors insuring reliability
- ✓ High speed dial-up commur ications procedures
- ✓ Programmable attract mode
- Daylight Savings Time setting that will automatically adjust the system time when necessary.
- Programmable CLERK ID numbers. This allows the manager to monitor all access to the machine, with hard copy reports showing the date and time each clerk accessed the machine.
- Hard copy report of lifetime sales from the machine. This figure can only be changed by technician or lottery personnel with proper access code.

VIRGINIA LOTTERY
Example of Sales Increases using the ITR-7000



	45 DAYS WITHOUT ITR	45 DAYS WITH ITR	INCREASE
Giant #180	\$200	\$600	200.00%
· Spotlight Video	\$747	\$1,196	60.11%
Bowl America	<b>\$835</b>	\$1,909	128.62%
Sadier Truck Stop	<b>\$</b> 551	\$2,000	262,98%
Woolworth #1721	· \$487	<b>`\$2,108</b> -	332.85%
Kroger Supermarket #228	\$684	\$2,260	230.41%
Shoppers Supermarket #28	\$ \$746	\$2,295	207.64%
Whites Truck Stop	\$758	\$2,311	204.88%
Dixie Pig Resturant	<b>%1;171</b>	\$3,024	158.24%
Total sales for test period	(6,179	\$17,703	186.50%

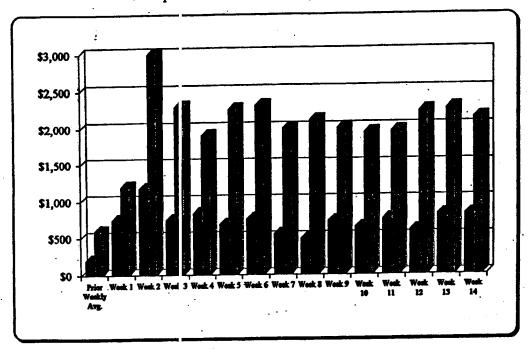
This information was compiled by S :ientific Games, Inc. resulting from an independent survey in March 1992

Kroger Supermarket #228 data includes 25 days only

Last printed on 3/20/1992

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WASHINGTON LOTTERY Example of Sales Increases using the ITR-7000



	ALBERTON'S #472	BAYVIEW MARKET
ITR Model Number	ITR-7000-4	ITR-7000-4
Prior Weekly Avg.	\$600	\$200
Week 1	\$1.196	\$747
Week 2	\$3,024	\$1,171
Week 3	\$2,295	\$746
Week 4	\$1,909	\$835
Week 5	\$2,260	\$684
Week 6	\$2,311	<b>\$7</b> 58
Week 7	\$2,000	<b>\$</b> 551
Week 8	\$2,108	\$487
Week 9	\$2,005	. <b>\$729</b>
Week 10	\$1,942	<b>\$</b> 645
Week 11	\$1,961	\$754
Week 12	\$2,231	\$601
Week 13	\$2,263	\$817
Week 14	\$2,138	\$818
Total sales to date for test period:	\$29,643	\$10,343
Average weekly sales:	\$2,117	<b>\$739</b>
<del>_</del>	\$1,517	\$539
\$ Increase over average:	* * *	269.39%
% Increase over average:	252.89%	207.3776

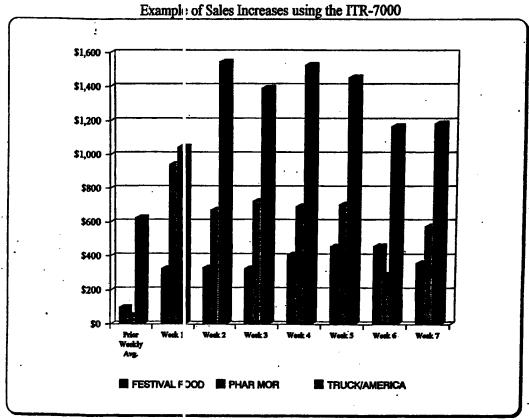
\* Week 1 was a nortial week

Last printed on 3/24/1992

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U





·	FES TVAL FOOD	PHAR MOR	TRUCK/AMERICA
ITR Model Number	I FR-7000-4	ITR-7000-4	ITR-7000-4
Prior Weekly Avg.	\$100	<b>\$</b> 50	\$625
Week 1	\$326	\$942	\$1,044
Week 2	\$332	\$674	\$1,545
Week 3	<b>\$</b> 327	\$726	\$1,390
Week 4	\$411	<b>\$</b> 695	\$1,526
Week 5	\$460	<b>\$70</b> 6	\$1,452
Week 6	<b>\$462</b> :	\$292	\$1,167
Week 7	\$360	<b>\$</b> 577 ·	\$1,184
Total sales for test period:	\$2,678	\$4,612	\$9,308
Average weekly sales:	\$383	<b>\$</b> 659 · ·	\$1,330
\$ Increase over average:	\$283	\$609	\$705
% Increase over average:	282.57%	1217,71%	112.75%

Last printed on 7/18/1992

copyright 1992, Lottery Enterprises, Inc.

Virginia

An Update on

# Virginia's Instant Ticket Vending Machines

Prepared by the Virginia Lottery

Virginia became the first state to begin a large-scale installation of in stant ticket vending machines (ITVMs last summer. In just six months, the program has proven profitable for retailers and popular with players.

When the first machine was installed in June, at a Giant grocery store in an affluent northern county, the

Lottery had planned to concentrate only in the northern Virginia area for the first 12 months. But as the Lottery quickly worked a few startup glitches out of the program, the Lottery sales department decided to move the program to three other parts of the state: south to Richmond, west to Harrisonburg and east to the Norfolk

"Consumer convenience, accessibility to multiple games, higher visibility and less labor intensive are

factors that make ITVMs the right choice for higher, more profitable sales in many retail locations, "says Ken Thorson, the Lottery's director.

More than 250 machines have been installed. They are currently being installed at a rate of 30 per week.

During this first year of the program. Virginia is concentrating on supermarkets, chaindrug stores and bowling centers. In addition, Burger King restaurants have made an application to install the vending machines in 16 of its franchised restaurants in the eastem part of the state.

The Lottery Enterprises Inc. machines installed at each location sell four instant games at a time. To access instant tickets through the vending machine, players first insert a \$1, \$5.

instant vending machines there's a better chance of finding the game they want to play in our store. Safeway grocery stores had been selling only one game through the checkout stands.

Retailers have averaged weekly sales of 1,000 tickets per machine, with some retailers selling as many as 5,500 tickets per week.

> Chris Borglin, whose F.W. Woolworth Co.'s store received the first ITVM in the Richmond, Va. area, says the store sold 600 tickets on Saturdayduring the first week. Prior to that. It generally took a week to sell the same amount of tickets, Borglin

Virginia will install more than 100 vending machines a month and will seek new types of businesses to sell lottery (lickets through the

vending machines until the demand has been satisfied. The Lotlery may install as many as 2,000 instant ticket vending machines.

The machine stays busy all of the time, says William McMilliam, an assistant manager at an Arlington Rite Aid drugstore in Virginia. We sell three times as many tickets than what we had been selling through the registers.



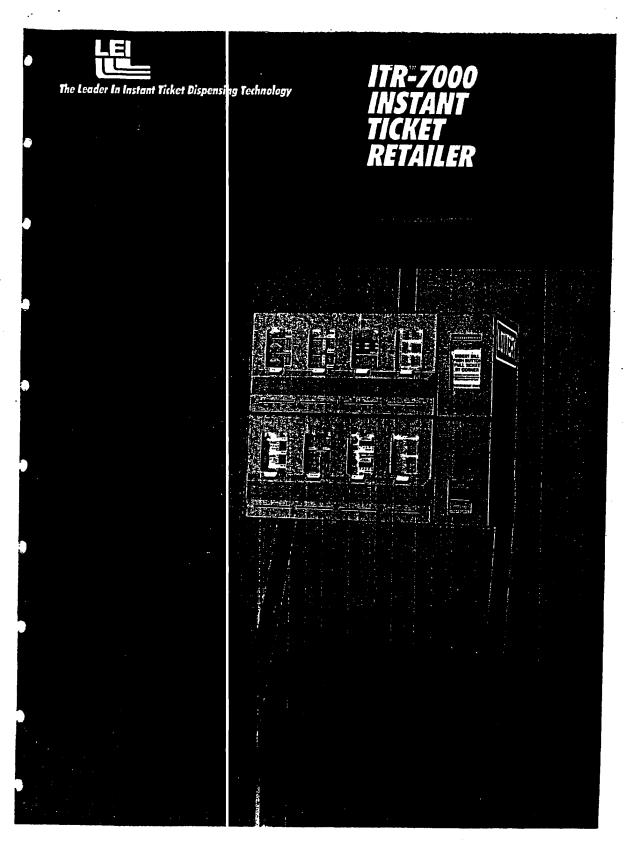
Player purchases ( licket through the Virginia Lottery's instant licket vending machine.

\$10 or \$20 bill, according to the amount they wish to play. Next, they select the game or games they wish to purchase, press a button to release the ticket through an opening and rip off the ticket along the perforation

ticket along the perforation.

"Players like having more than one game available," says Sam Chandler, who oversees lottery sales at a Saleway grocerystore in Fairfax, Va. "Most people have a favorite game, and with the

12 PUBLIC GAMING MAGAZINE . JANUARI 92



## A TROUBLE-FR'EE DISPENSER WITH SPLIT-SECOND SPEED.

he consumer-activated INSTANT TICKET RETAILER (model ITR"-7000) opens up uncharted marketing opportunities for retailing instant lottery tickets. The ITR\*-7000 is designed to streamline the marketing of instant lottery tickets by opening up new markets which heretofore have not been available to lotteries. Specifically, these markets can be identified as those where sales now exist but at a level far below potential (typically food chain stores, liquor stores, etc. and locations where potential exists but instant tickets are not being offered for sale (private clubs, bars, malis, etcj.

The ITR\* -7000 is simple to operate. The customer inserts a dollar bill, in any denomination of one, five, ten or twenty dollars and makes a selection from one to eight separate games. It's simple. It's convenient. And it's secure. Additionally, each ITR™-7000 dispensing unit stores up to 3,000 tickets for a maximum of 24,000 tickets per machine. This coupled with the fact that it keeps track of

all the accounting and inventory of each game and tied in with the LEI FILE SERVER™ will alert the lottery in ample time to replenish ticket stock when it becomes low and will make distribution of tickets routine.

The ITR™-7000 has an optional attention-getting LED scrolling sign to attract impulse buyers. The sign is loaded from the LEI FILE SERVER™ at Lottery headquarters or other remote locations to promote special games or winning iackpots.

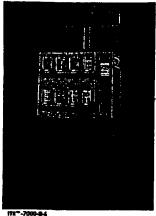
The ITR\*\*-7000 is available in four convenient models. All include standard bill acceptors and/or optional coin acceptors (see -C). the -2 houses two dispensers, the -4 houses four dispensers, the -6 houses six dispensers and the -8 houses eight dispensers. All models are available as counter tops, wall mounts or stand-alone terminals. The stand-alone models offer two options: Twin-L legs or security storage cabinet.

Ouite simply, LEI's ITR -7000 will revolutionize the way you'll market Instant Lottery Tickets.



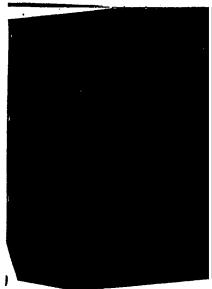
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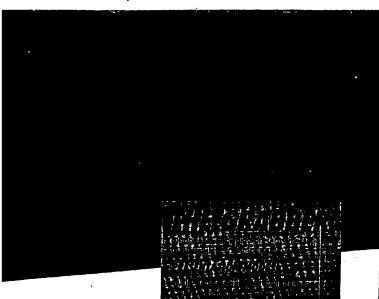












## ITR-7000 ADVANTAGES

## **70 THE LOTTERY**

- Increase Sales
- Security
- Multi-game Sales (up to 8 games/unit)
- Daily Sales Information BY: Agent Classification Geographical
- LED Sign Downloadable
- Total Accounting And Inventory Control
- Increased Efficiency And Cost Effective Marketing

**FOR: Promotion** Incentive Programs Advertising

- Messages On Terminal
   Downloadable From Central Computer
  - FOR: Individual Agents or all the Agents
- Complete Close-out Of Game Total Control Of System (via dial-up communication)
- Real Time Clock (allows automatic communications)
- Information Contained In ITR™
- Battery Backup (in the event of power loss)
- Daily Inventory And Sales Reports (Insure ticket availability)
- No Out Of Stock Situations
- Opportunity For New Sales **Outlets**

## TO THE AGENT

- Increase Sales
- Security
- Total Accounting And Inventory Control
- Reports

Current day sales Daily sales for two days Weekly sales for two weeks Involce

- Automatic Reordering Of Tickets
- 1) Point Of Sale Advertising
- 1) Hard Copy Sales Reports
- RS232 Port For Central Control
- O Ability To Sell Tickets Anywhere
- O Ergonomically Designed Unit
- O Automatic Agent ID Imprint (optional)
- () Easy To Operate
- O Consumer Oriented
- ( Holds 3,000 Instant Tickets For Each Game
- Small Footprint
- 1 Does Not Require A Sales Clerk
- Contains its Own Cash Compartment
- Double Security Locks
- ← Heavy Steel Construction
- ( Multi-game Sales (up to 8 games unit)

## THE CONSUMER

- Availability
- Convenience
- Ability To Purchase A Ticket Anywhere
- Ease Of Purchase
- Choice Of Instant Lottery Game



ITR"-7000 VERSATELITI Standard bill acceptor with installation of optional coin acceptor greatly enhances ticket buyer convenience by offering a multitude of currency choices.

1.

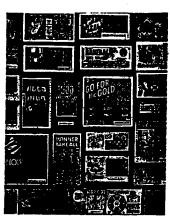
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SPECIFICA	TIONS Height	*Width	Depth
ITR"-7000-2	27.25°	15.25"	18.0"
TR™-7000-4	27.25"	21.257	18.0"
ITR"-7000-6	21.25"	27. <b>25</b> "	18.0"
ITR™-7000-8	21.25	33.25"	18.0"

<sup>115</sup> or 240V AC 47 or 60 Hz 2 Am >



ITR\*\*-7000 VERSATILITY
Accepts any size tickets with widths from 2" to 4" and lengths from 11/4" to 6".

## LEI FILE SERVI:R"

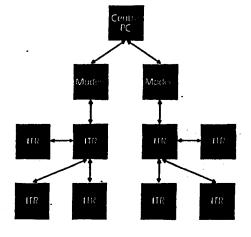
As depicted in the diagram, every ITR\*-7000 is capable of interrogating over thirty offier ITR\*-7000's via its smart modem. This feature perm its the central PC (at Lottery headquarters or other remc te locations) to collect all of the sales and inventory in formation from any one city or local with a single phone call, thus reducing the necessity of tying up a large number of 800 or WATS lines. Considering connect time, it is estimated that a PC with dual modems can interrogate over 21,000 ITRs\* in a seven hour time span. All communications are done on a dial-up basis eliminating costly dedicated phone lines.

Timely reports are broken down in to agent categories, i.e. convenience stores, ban, nightclubs, etc, and also by geographic location. This permits the lottery to pinpoint advertising, agent training or special promotions.

In addition, special messages may be automatically downloaded to the optional LED sign cluring the interrogation of the ITR $^{\infty}$ . Messages may be sent to specific agents or to the entire state.

## Lottery Enterprises, Inc.

Corporate Headquarters 7372 Conway Court San Diego, California 72!!! Rel. (619) 569-5266 Fax (619) 569-9157 Roll Free (800) 879-1187 (800) 879-4877 East Coast Office 74 Branch St. #17 Scituate, Massachusetts 02066 Tel. (617) 545-4829 Fax (617) 545-4477





<sup>\*</sup>Optional coin acceptor (-C) adds 1.0" to overall width.

Exhibit E

GTech v. Scientific Games 04-128-JJF

GTECH 000058

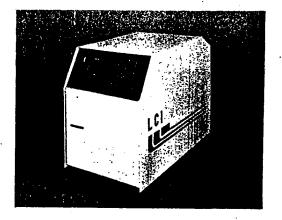
## ITR 5000™ INSTANT TICKET RETAILER

ITR COMBINES ERGONOMIC DESIGN AND ADVANCED TECHNOLOGY FOR INCREASING SALES AND REDUCING COSTS ASSOCIATED WITH DISPENSING INSTANT LOTTERY TICKETS.

## FEATURES:

- HOLDS UP TO 1500 INSTANT TICKETS.
- ACCOUNTING AND **INVENTORY CONTROL** FOR LOTTERY AND AGENT.
- ENHANCED SECURITY.
- LCD (LIQUID CRYSTAL DISPLAY) PROGRAMMABLE FOR ADVERTISING.
- DIAL-UP COMMUNICATIONS TO CENTRAL COMPUTER.
- AGENT AND CONSUMER ORIENTED.
- INSTANT SALES AND IIIVENTORY REPORTS.
- INCREASED SALES OPPORTUNITIES.
- AUTOMATIC AGENT ID IMPRINT.
- EASY FOR AGENT TO OPERATE.
- DISPENSES ANY SIZE TICKET UP TO 2" × 4".

LOTTERY CONCEPTS INTERNATIONAL, INC.



## ITR 5000

## INSTANT TICKET RETAILER

The ITR terminal has a small foot pri it to fit in tight selling areas such as encountered in convenience stores yet is able to promote the instant ticket product, especially with the LCD option.

The ITR terminal has a 16 key keyped and an LCD display for the agent. The agent need only key in the number of tickets required and depress "enter" to lispense the tickets to the customer. The keypad uses membrane technology for trouble free operation, and is laid out it two sections. The first section is numbered 0-10, and "CE" (clear entry), the remaining four keys are labled "SIGN ()N", "REPORT"; "CASH", AND "ENTER". The logical, ergonomic design of the keypad insures all functions available are initiated with simple, easy to follow key strokes.

The agent LCD is used to display the dollar amount to be collected. All report functions can be written on this 16 character display.

An adjustable ticket bin is provided to accommodate tickets from 2.0" to 4.0" wide, and fan folded in sections of five tickets each, to a maximum of 1500 tick its. An alarm will sound when out of stock or a power low (brown out) condition. The change of ticket size can be accomn odated by the terminal with only simple adjustments which can be carried out by an agent or lottery representative.

A real time clock is supplied for time and date tracking (24-hour). The clock can be used for many communication functions such as auto dial out to host computer for sales reporting, allow communications only at specified times, time stamp certain transactions, and dial-up for after hours data collection.

No marks, holes, or notches of any kind are required on the ticket stock.

A compact printer is available to give a hard copy of the sales reports. This option is extremely important where agents need to reconcile sales after each shift, or verify transactions of a previous date.

## **SPECIFICATIONS**

Height: 12.0" Width: 9.0" L ngth: 15.0"

Weight: 16 lbs.

115 VAC 60 Hz 50 Watts .50 Amps

Capacity: 1500 tickets

Ticket Sizes: 1.25" to 2.00" long. 2.75" to 4.00" wide.

### **OPTIONS**

1200-baud modem:

20 Colume thermal printer.

80 character backlit programmable LCD customer display.

Marketed exclusively by: Lottery Concepts International 74 Branch Street Suite 17 Scituate, MA 02066 (617) 545-4829

• 1987 LCI 9/87 - 1000

West Coast Office: 7515 Charmant Drive Suite 1407 San Diego, CA 92122 (619) 546-7601

Exhibit F

GTech v. Scientific Games 04-128-JJF

GTECH 000061

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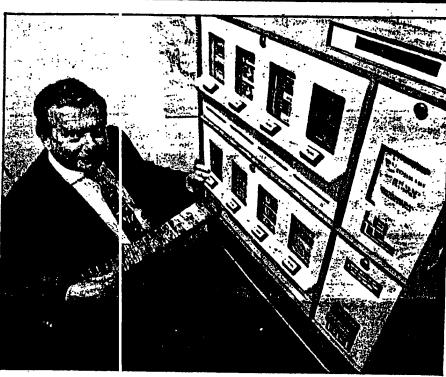
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Mand wire reports



Local Jackpot: Robert Burr, president of Lottery Enterprises Inc., demonstrates the machine that dispenses a ratch-off lottery tickets.

## State awards \$15 million contract for lottery ticket vending devices

THE PARTY OF THE P

A small San Diego com; any has won a \$15 million state contract to supply thousands of scratch-off lottery ticket vending machines, with the first machines expected in local Vons and

Ralphs grocery stores by n xt week.

Lottery Enterprises Inc., 2 2-year-old company in Kearny Mesa, said the ini isl order calls for up to 2,000 of its vending machines to be installed around the state by November. Options included in the five-year contract could lead to the installation of 4,500 to 6,500 mor : vending units, said Robert Burr, the company's chief executive offi-

The contract means the company will hire more than 100 people at its local facility and statewide to service the nachines, Burr said. Lottery Enterprises curren ly employa 25 persons in Kearny Mesa, where the machines are manifectured, and 20 in Vi ginla, where it has installed 1,300 machine

.: The California order also it likely to boost em-

ployment at companies that supply Lottery En-terprises with materials and components. Many of those companies are local, minority-owned-

of those companies are local, minority-owisou-businesses, Burr added.

State lottery authorities estimate that 400 new jobs will result from the contract.

Lottery Enterprises earlier won contracts to install scratch-off lottery-ticket machines in Del-aware, Vermont and Colorado. The Canadian province of Ontario also is currently evaluating company's units, as are authorities in Spain, Iceland and England, Burr said.

Lottery Enterprises says its machines are nore convenient than over-the-counter sales and have increased ticket sales dramatically in other

states.
"We've seen that every place we've put them
in, the tickets are an impulse buy, and our main. chines are designed with windows so the tickets.

See Lottery on Page C-2

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tted the ge of its f-coming ernment is atarting to explain what it will do to stimulate Japan's ailing economy, the Tokyo Stock Exchange is showing signs of life.

After the Nikkei Stock Average capped a prolonged decline Tuesday with a plunge to a aixyear low, Finance Minister Tautomu Hats hurriedly pledged action to prop up stock prices.

tion to prop up stock prices.

He proclaimed the nation's financial criais, marked by plummeting stocks, sick banks and anemic corporate earnings, "the most severe since World War II."

The Nikkel soared more than 13 percent over the next three days, ending the week at 16,216.88, its highest close in more than a month. While some of the gain was for technical ressons, analysts agree that investors found Hata's comments reassuring.

"The government and papers correctly have created the impression that the situation is turning around," said Paul Migbehind. Now it may go beyond just reacting, and people are happy the government is governing again."

Many investors are now

The Nikkei ended the week at 16,216.88, its highest close in more than a month.

waiting expectantly for next Friday, when Prime Minister Kiichi Miyazawa is expected to announce an emergency government spending package of as much as \$55.4 billion to atimulate the aluggish economy.

## Ships

Navy repair contract to help U.S. shipyards

Continued from C-1

all repairs and modifications to be done by American shippards. Eight ships hired in late July will be reflagged as U.S. vessels and will be modified in the United States, he stated.

Donovan said the earlier con-

Donoyan said the earlier contract allowed foreign repairs because the Navy believed U.S. ahlpyarda would be unable to complete the work because of pending Navy warship repairs. He changed the policy after the Navy determined that American ship repair firms would be able to satisfy future sealift contracts.

The ships, chartered for at least 17 months, are stationed near potential hot spots, such as the Mideast or Asia. If a conflict occurs, the prepositioned ships would sail to the troubled area, where troops flown in from the United States would pick up their equipment and heavy weapons.

At the beginning of the Persian Gulf crisis, several such ships delivered war material to Saudi Arabia in the weeks following Iraq's invasion of Kuwait. market's rebound may be shor tived. There's great potential for

disappointment.

Hata said Tuesday the government would enact measures to discourage financial firms from selling aher also suggested there would be tax relief for banks burdened with bad debts.

The proposal that has raised the most interest involves creating a syndicate to buy either real estate used as collateral in loans that have gone bad or the loans themselves.

"It looks as if a safety net is being built," Migliorato said.

Japan's economy is expected to grow about 2 percent this year, a sharp decline from last year's 4.5 percent rate.

## Lottery

San Diego company gets state contract

Continued from Page C-1

pass by as you purchase them," Burr said,

The machines also can provide customers with a choice of up to eight different types of instant tickets. A California test, Burraaid, found the machines increased sales by 80 percent.

Lottery Enterprise hopes to introduce later this year a machine to dispense break-open tickets, which are sold by several Western states.

The privately held company, financed by the Ralph L. Evans Trust in Rancho Santa Fe, declined to disclose its sales and income figures.

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PATENT ON APP 932 93d1: 15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant

Hobert L. Burr

VSerial No.

07/912,005

Filed

Huly 10, 1992

For

!!ICKET DISPENSER MACHINE AND METHOD

Group Art Unit :

3101

Examiner

Bollinger

530 Fifth Avenue New York, New York 10036

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Bon. Commissioner of Patents and Trademarks Washington, D.C. 20231, on October 1, 1992

Gregor N. Neff. Reg. No. 20,596
Name of Applicant, Assignee or Registered

Represent ative

Signatus e

October 1, 1992 Date of Signature

### AMENDMENT

Hon. Commissioner of Patents and Trademarks Washington, D.C. 202:1

sir;

In response to the Official Action mailed September 14, 1992, please enter the following amendment of the above-identified patent application:

IN THE CLAIMS:

Rewrite claims 1 and 16 as follows:

GNN9:2030.5PA

(tim ) 76

1. (Twice Amended) A ticket dispensing machine, comprising, in combination, a housing, at least one window in said housing through which tickets inside said housing can be seen but not touched by a person outside said housing, a dispensing outlet in said housing, electrically powered means for moving a continuous strip of tickets past said window, and for dispensing through said outlet a pre-determined number of said tickets to an operator of said machine[, and protective means for deterring the operator of the machine from withdrawing from said machine more than said pre-determined number of tickets].

(Twice Amended) A ticket vending method, said method comprising the steps of:

- (a) utilizing electrically powered drive means for moving a strip of mutually-attached tickets past a viewing window in a housing in a marner such that the tickets can be seen from outside said housing, and
- (b) issuing from said housing a pre-determined number of tickets from said array which are ordered by an operator[, and operating means for deterring said operator from withdrawing more than said number of tickets).

Claim 10, line 2, change "protective" to

--dispensing--;

NE? Claim 1, line 1, change "26" to --29--. Claim 32, line 5, change "say" to --Claim 33, line 1, change "26" to --29--

GNN9:2030.SPA

### REMARKS

The undersigned attorney would like to take this opportunity to thank the Examiner for the courtesies extended to him and Mr. Robert L. Burr, the inventor, during the interview which took place on August 26, 1992.

During the interview, the facts and Exhibits in the accompanying Declaration Under Rule 132 were explained to the Examiner to demonstrate the commercial success which has been achieved by the invention. In particular, the test results set forth in Exhibit D were offered to show the impressive ticket sales increases achieved by the machine using the invention.

As it was explained during the interview, the commercial success of the invention, which is far in excess of what might be expected, demonstrates the unobviousness of the invention. The Groves and Knee references simply do not show or suggest the extraordinary increase of ticket sales produced by driving an array of tickets past a window in the dispensing device.

As to the assertion of indefiniteness of claims 1, 2, 4-6, 31 and 33, it is believed that the claims are sufficiently definite. Whether there is a single mechanism for moving the strip and dispensing the tickets, or separate means for each function is not believed to be important to the patentability of the invention because the movement of the ticket array past the window is at the heart of the commercial success, and the means GNN9:2030.SPA

disclosed is properly recited as means for performing the moving and dispensing.

Claims 1 and 16 have been sharpened by elimination of the protective means (Claim 1) and the protective step (Claim 16) for preventing unauthorized withdrawal of tickets because that feature is off the main point of the invention. It is believed that the Examiner concurred with this proposal during the interview.

In accordance with the foregoing, and the comments in the Examiner Interview Summary Record, it is believed that the patent application is in condition for allowance.

Accordingly, it is respectfully requested that the application be allowed and passed to issue.

Respectfully submitted,

CURTIS, MORRIS & SAFFORD, P.C. Attorneys for Applicant

Gregor N. Neff Reg. No. 20 596

(212) 840-3\$33

GNN9:2030.6PA

SERIAL NUMBER	FILING DATE		FIRST NAMED APPLICANT		ATTORNEY DOCKET NO.
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	- NOTICE	OF ALLOWABILITY
PARTL		
1. 风	This communication is responsive to The Lautestee	aications filed 5 October 1992
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3. 📈	The allowed claims are 1,2,4-6,10-12,	16,18,21,22,29-33,38-40,43-45 447
4. LJ	I ne grawings filed on	are acceptable.
	received. [] been filed in parent application Seriel No	nder 35 U.S.C. 119. The certified copy has [] been received. [] not been
	Note the attached Examiner's Amendmen L.	······································
7. 🖸 1	Note the attached Examiner Interview Sut Imary Record	, PTOL-413.
. 8. 🖸 (	Note the attached Examiner's Statement of Reasons for	Allowance.
	Note the attached NOTICE OF REFERENCES CITED, P	
10. 📙 (	Note the attached INFORMATION DISCLI ISURE CITAT	ION, PTO-1449.
PARTIL	•	•
PRUM I	RTENED STATUTORY PERIOD FOR RES PONSE to co THE "DATE MAILED" indicated on this form. Failur Ms of time may be obtained under the provisions of 37 (	mply with the requirements noted below is set to EXPIRE THREE MONTHS to timely comply will result in the ABANDONMENT of this application. CFR 1.136(a).
1. [] N	iote the attached EXAMINER'S AMENDI IENT or NOT r declaration is deficient. A SUBSTITUTE DATH OR DEC	ICE OF INFORMAL APPLICATION, PTO-152, which discloses that the outh
2. 🎘 AI	PPLICANT MUST MAKE THE DRAWING CHANGES II FTHIS PAPER	NDICATED BELOW IN THE MANNER SET FORTH ON THE PREVERSE SIDE
• 10	Drawing Informalities are indicated (n the NOTIC	E RE PATENT DRAWINGS, PTO-848, stlached barelo or to Paper No.
b. 🖸	The proposed drawing correction filed on	has been approved by the examiner. CORRECTION IS
c. 🗆	Approved drawing corrections are described by the REQUIRED.	e examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS
d. 🎉	Formal drawings are now REQUIRED.	•
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Any resp	ponse to this letter should include in the upper right	hand corner, the following information from the NOTICE OF ALLOWANCE
and ISS ·	WE FEE DUE: ISSUE BATCH NUMBER, I ATE OF THE I	NOTICE OF ALLOWANCE, AND SERIAL NUMBER.
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	Mar's Amondment	Notice of Informal Application, PTO-182
	or Interview Summery Record, PTOL-413	Notice to Patent Drawings, PTO-048
	16 for Alliquiance of References Cited, PTO-862	Listing of Bonded Draftsman
	or renorances Cited, PTD-882 High Disclosure Citation, PTO-1448	Other
		•

Serial No. 912005 Art Unit 3101 -2-

Applicant's directions to amend claim 1 line 1 to change "26" to --29--, 01 page 2 of the amendment filed 5 October 1992, are defective as '26" does not appear in line 1 of claim 1, therefore; this portion of the above mentioned amendment has not been entered.

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

In the claims:

claim 31 line 1 "26" has been changed to --- 29---.

This amendment has been made to correct the dependency of claim 31 so as not to depend from a canceled claim. Further, it was agreed to make such a correction in the interview of 26 August 1992.

Any inquiry concerning this communication should be directed to David Bollinger at telephone number (703) 308-1113.

DAVID H. BOLLINGER PRIMARY EXAMINER

CROUP 310

dhb December 12, 1992



## UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: Box ISSUE FEE

COMMISSIONER OF PATENTS AND TRADEMARKS . Washington, D.C. 20231

GREGOR N. NEFF C/O CURTIS, MORRIS & SAFFORD 530 5TH AVE. NEW YORK, NY 10036

## NOTICE OF ALLOWANCE AND ISSUE FEE DUE

Note attached consumination from the Eventure

This notice is issued in view of applicant's communication & sd.

SERIES CO	DE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	3101	102 FINDERS
	07/912,005	07/10/52	<b>02</b> 4	BOLLINGER, D		
First Named Applicant	BURR,		ROBE	RT	•	· · · · · ·

TITLE OF NUMBER OF TICKET DISPENSER MACHINE AND METHOD

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THE APPLICATION IDENTIFIED ABOVE I AS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.

### PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN 1 HREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

## HOW TO RESPOND TO THIS NOTICE:

- I. Review the SMALL ENTITY Status show I above. If the SMALL ENTITY is shown as YES, I erify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the a mount of the FEE DUE shown above and notify the ratent and Trademark Office of the change in status, or
  - B. If the Status is the same, pay the FEE I UE shown above.
- If the SMALL ENTITY is shown as NO: A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned.
  If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.
- III. All communications regarding this applica ion must give series code (or filing date) and serial number. Please direct all communications prior to i suance to Box ISSUE FEE unless advised to contrary.

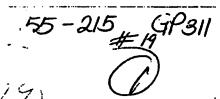
IMPORTANT REMINDER: Patents issuing on a plications filed on or after Dec. 12, 1980 may require payment of maintenance fees when due.

PTOL-85 (REV.7-92) (OMB Clearance is pending) PATEN AND TRADEMARK OFFICE COPY

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Robert L. Burr, et al.

Serial No.

07/912,005

Filed

July 10, 1992

For

PICKET DISPENSER MACHINE AND METHOD

Art Unit

3101 \

Examiner

). Bollinger

Batch No.

198

530 Fifth Avenue New York, New York 10036

## PETITION UI DER 37 C.F.R. \$1.136(a) and 1.17(a)

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20:31

sir:

Pursuant to \$1.136(a) applicants hereby request a one month extension of the period for filing formal drawings in response to the December 16, 1992 Notice of Allowability, Part II, i.e., up to and including April 16, 1993.

Enclosed herewith is a check for \$55.00 in payment of the fee set forth in \$1.17(a) for a small entity for a one month extension under \$1.136(a), 37 C.F.R.

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment in the petition fee to Deposit Account No. (3-3925.

070 AA 04/05/93 079 12005

1 215 55.00 CK

A duplicate of this petition is enclosed.

Respectfully submitted,

CURTIS, MORRIS & SAFFORD, P.C.

Gregor N. Neif, Esq. Registration No. 20, (212) 840-3333

Enclosures

Transmittal letter

Formal Drawings (6 sheets) Check (\$55.00)

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## IN THE UNIT D STATES PATENT AND TRADEMARK OFFICE

Applicant

Robert L. Burr, et al.

Serial No.

)7/912,005

Filed

: July 10, 1992

For

CICKET DISPENSER MACHINE AND METHOD

Art Unit

:1101

Examiner

1). Bollinger

Batch No.

∷98

530 Fifth Avenue New York, New York 10036

## PETITION UNDER 37 C.F.R. \$1.136(a) and 1.17(a)

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20:31

sir:

Pursuant to \$1.136(a) applicants hereby request a one month extension of the period for filing formal drawings in response to the December 16, 1992 Notice of Allowability, Part II, i.e., up to and including April 16, 1993.

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A duplicate of this petition is enclosed.

Respectfully submitted, .

CURTIS, MORRIS & SAFFORD, P.C.

Registration No. 20 (212) 840-3333

Enclosures

Transmittal letter

Formal Drawings (6 sheets) Check (\$55.00)

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Robert L. Burr, et al.

Serial No.

117/912,005

Filed

July 10, 1992

For

!ICKET DISPENSER MACHINE AND METHOD

Art Unit

: 101

Examiner

1). Bollinger

Batch No.

1.98

530 Fifth Avenue

New York, New York 10036

### LETTEL TRANSMITTING FORMAL DRAWINGS

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20:31

Attention: Official Draftsman

sir:

Pursuant to Part II of the December 16, 1992 Notice of Allowability, with the term for reply having been extended one month, enclosed are six (6) sheets of formal drawings to be made of record in the above-identified patent application.

Respectfully submitted,

CURTIS, MORRIS & SAFFORD, P.C.

Gregor W. Neff, Esq. Registration No. 20,

(212) 840-3333

Enclosures

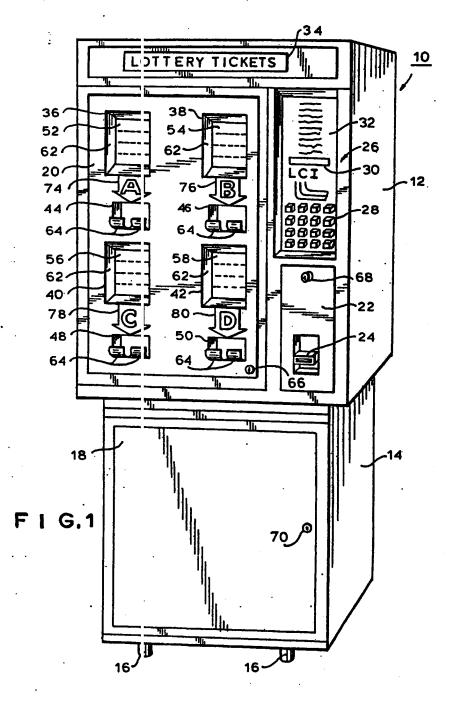
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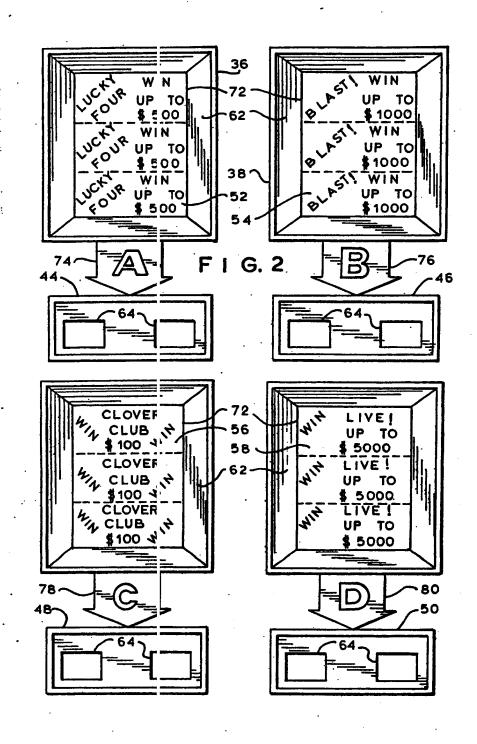
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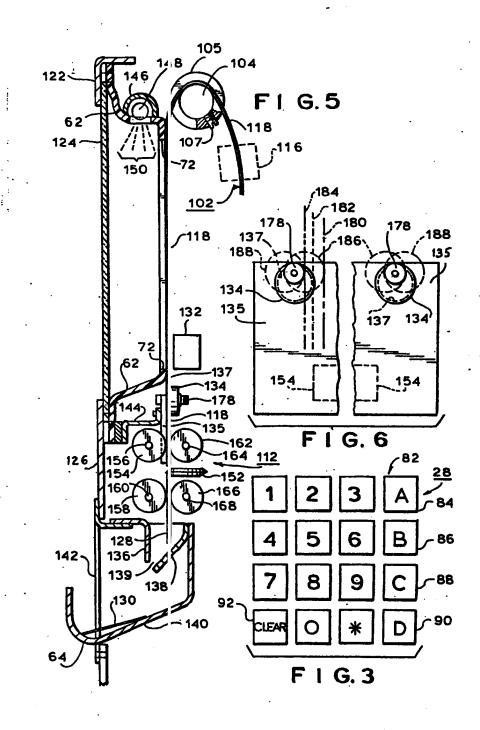
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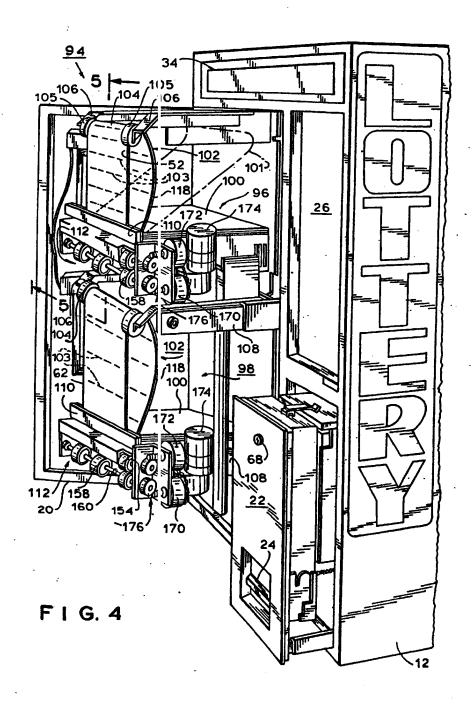


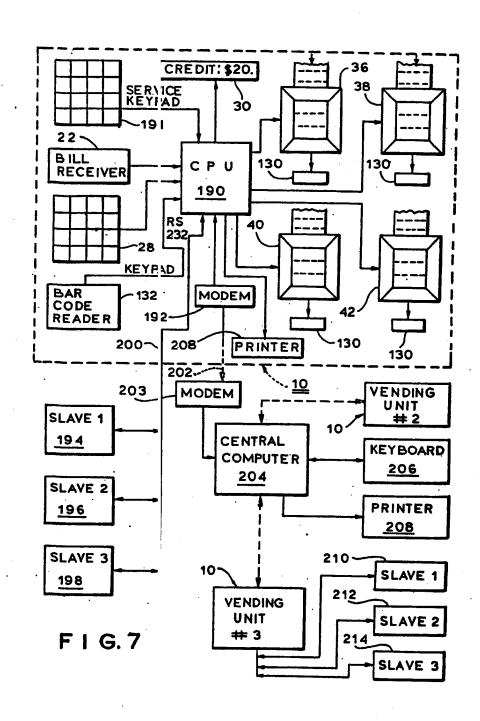


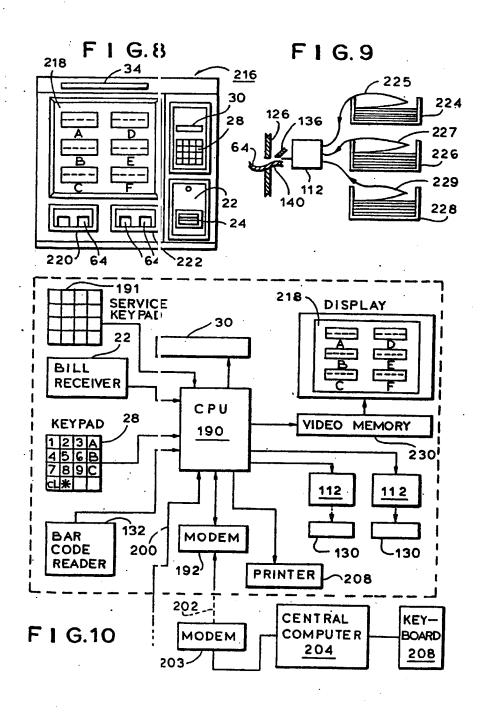
CORRUS (1) FIG.











PTO UTILITY GRANT

Page 71 of 80

# Thu-United[ States America

## The Commissioner of Patents and Trademarks

Has received an application for a patent for a new and useful invention. The title and description of the invention are enclosed. The requirements of law have been complied with, and it has been determined that a patent on the invention shall be granted under the law.

Therefore, this

## United States Patent

Grants to the person or persons having title to this patent the right to exclude others from making, using or selling the invention throughout the United States of America for the term of seventeen years from the date of this patent, subject to the payment of maintenance fees as provided by law.



PTO-1584

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### CHANGE OF CORRESPONDENCE ADDRESS

FOR PATENTS

Patent No. : 5222624

Issue Date : 06/29/93

Application No.: 912005

Filing Date : 07/10/92

First Named

Inventor : BURR RL

Case Number : 3345-2050

Assistant Commissioner for Patents Washington, D.C. 2023

Dear Sir:

Please change the Correspondence Address for this

application to:

Gregor N. Neff, Esq. Who tman Breed Abbott & Morgan

200 Park Avenue

New York, New York 10166

Tele No.: (212).351-3000

Fax No. :

I am the attorney of record.

Typed or Printed
Name

Grador N. Neff
Reg. No. 20,596

Signature

17/1/98



3345-2050

## IN THE UNIT D STATES PATENT AND TRADEMARK OFFICE

Applicant

R. L. Burr

Patent No.

5,222,624

For

Windows Ticket Dispenser

Issued

6/29/93

919 Third Avenue New York, NY 10022-3852

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Asst. Commissioner for Patents Washington, D.C. 20230

Gregor N. Neff - Registration No.

NOTICE OF CHANGE OF ADDRESS

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Please change the Correspondence Address for the on to:

application to:

-1-

PATENT 3345-2050

Gregor N. Neff
Kramer Levin Naftalis & Frankel LLP
919 Third Avenue
New York, NY 10022-3852
Direct Dial: 212 715 9202
Facs imile: 212 715 8000

I am the attorney of Record.

Respectfully submitted,

KRAMER LEVIN NAFTALIS & FRANKEL LLP

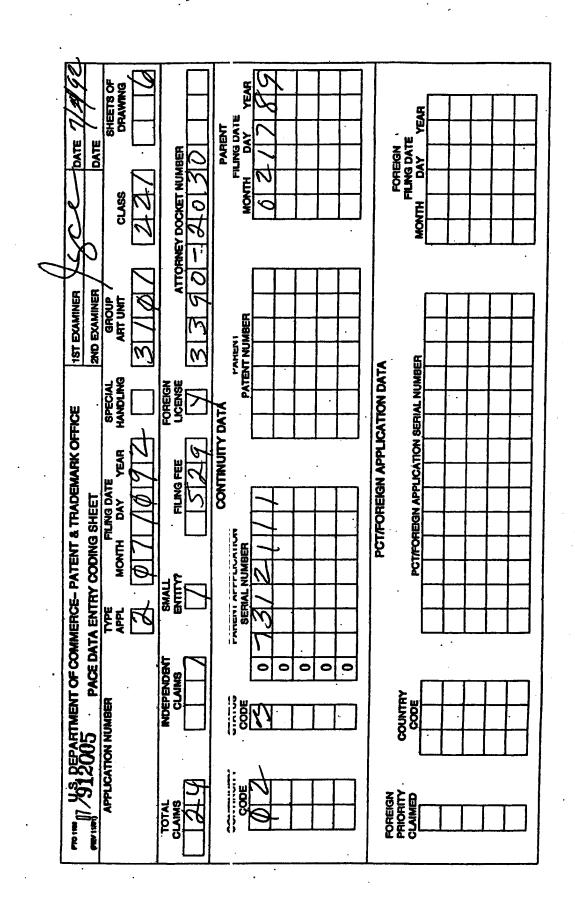
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Gregor N. Neff Registration No. 20,596 (212) 715-9202

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